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NOVEMBER 9, 2018 BY RONNIE

Privacy Commissioner, Banks, Throw StatsCan Under the Bus

CBC News

> CBC/Radio-Canada is a Canadian public broadcast service.

Watch on

(The issue of bank data being seized is raised in Parliament)

This article was released by Global News on October 26, 2018, and CanuckLaw covered it here on October 28. In short, Statistics Canada wants to seize the banking information of 500,000 Canadians (each year), and do it ***without the knowledge or consent*** of Canadians.

(at 1:40 in the video) Statistics Canada representative James Tabreke in a very blunt way claims that this is a ”new way of getting economic data to make government decisions”. He also claims that StatsCan is being open with the public, and that the Canadian Banks were aware of this.

(at 2:32 in the video) Claim that the Privacy Commissioner has okayed the project.

Prime Minister Trudeau, in his typically partisan manner, defended the data seizure. Of course blamed Stephen Harper for eliminating the long form census in 2010. He claimed StatsCan was working closely with the Privacy Commissioner.

Now the lies get exposed:
First, Trudeau is distorting the truth with reference to Harper gutting the long-form census. In the original video, Statistics Canada claimed bank seizure was a move done ***to replace the long form census.*** So Harper cancelling the LFC in 2010 was actually irrelevant, as StatsCan was going to pull this stunt anyway.

Second, StatsCan claims that they have been open with what they are doing. Yet, these talks have been going on for a year now without the public’s knowledge.

Third, the C.B.A. (Canadian Bankers Association) has publicly objected, claiming they thought StatsCan was just in an exploratory stage. C.B.A. says they didn’t know StatsCan was going ahead with this, and says they will oppose the measure. Here is their statement:

> ***Statement from the Canadian Bankers Association***
>
> ***Protecting the information privacy of their valued customers is a top priority for banks in Canada. Banks believed this proposed data acquisition project was still in the exploratory stages and were not aware that Statistics Canada was moving to compel disclosure of this information. No customer transaction data or other personal information has been transferred to Statistics Canada under this request. The CBA is working with members to understand the nature of this request and next steps.***

Fourth, the Privacy Commissioner, seen here appearing before the Senate Committee on Banking, Trade and Commerce, refutes the claim that he ”okayed the move”. Instead, he stated that he does not have the authority to approve such a thing, and is only able to provide general advice on privacy laws.

Fifth, the Privacy Commissioner claims he was unaware until very recently that Statistics Canada that they wanted to do this to 500,000 Canadians. He says numbers were not discussed. In the hearing he states, ”Proportionality is very important.”

Sixth, the Privacy Commissioner states he was unaware or just how much information would be seized by such a move.

Seventh, the Privacy Commissioner admits that StatsCan was not nearly as transparent as it could have been.

Eighth, and this is a glaring omission: StatsCan doesn’t say ***how*** this massive intrusion would actually help. There are just vague references to ”economic information”.

Certainly, that 15 years of credit card data had recently been seized also doesn’t sit well with many Canadians.

Now that formal complaints against this measure have been filed with the Privacy Commissioner, there is no longer the option of just giving general legal information. At this

point, an investigation is mandated by law.

The proposal ***appears*** to be dead in the water, as public outrage and the threats of legal action are forcing StatsCan to back off. But it will be interesting to see if the Federal Liberals continue to support this Orwellian measure.

Note:
Statistics Canada, Equifax, Transunion, the C.B.A., and the major banks have all been contacted by CanuckLaw for comment. Any responses will be posted here as updates.

Canadian Banker's Association rep Aaron Boles
Thanks, Alex.

The most important take-away from yesterday is that StatsCan is suspending any movement on its proposed project until the Office of the Privacy Commissioner has completed its report, which we understand will be January at the earliest. We were firm in our appearance before the Senate Committee that all options are on the table in terms of defending the privacy and security of bank customers' personal information and transaction records. Until the OPC report is tabled and StatsCan responds about what it proposes to do thereafter, there's little point in speculating on how information on spending habits would be collected, if at all.

Best,

AEB

From RBC
Hi Alex – please refer to the CBA for comment on this.

Best,
AJ

AJ Goodman I Director, External Communications, Personal & Commercial Banking I

From TD Canada
Hi Alex,

We refer your inquiry to the CBA, however can tell you that TD takes the trust our customers place in us extremely seriously and has not agreed to share customer data.

Thanks,

Alison

From Statistics Canada
Hello,

"I can assure you that we will not proceed with this project until we have addressed the privacy concerns expressed by Canadians by working cooperatively with the Privacy Commissioner and with financial institutions."

Anil Arora, Chief Statistician of Canada (Standing Senate Committee on Banking, Trade and Commerce, November 8, 2018)

Thank you,

Laurence Beaudoin-Corriveau

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Statistics Canada, Government of Canada

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From Equifax
Hello Alex.

In our database, Equifax Canada has information on ~27M Canadian consumers, which we maintain as a registered Canadian credit bureau in accordance with applicable credit reporting and privacy laws. Statistics Canada has never directed Equifax Canada to provide them with, and subsequently, Equifax Canada has not provided to Statistics Canada all of its data pursuant to its enabling legislation.

In any instance where a regulated body relying on legislative authority requests information from Equifax, our standard process is to conduct a review against our internal data

governance and security processes, as well as to consider applicable law prior to disclosure.

We don’t have any information on the rumour you mentioned about credit data from 15 years ago.

Media Relations | Equifax Canada Co.

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